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**HISTORICAL ADDRESS**

**Delivered on the Occasion**

**OF THE**

**TWO HUNDRED AND FIFTIETH  
ANNIVERSARY**

**OF THE**

**TOWN OF MIDDLEBOROUGH  
MASSACHUSETTS**

**July 5, 1919**

**BY**

**ALBERT H. WASHBURN**

1919

F74  
M62W3

Gift  
Robert Luce  
Nov. 4, 1933



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Fiftieth Anniversary of the Town of Middle-  
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By Albert H. Washburn.

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"The Royal Oak it was the Tree,  
That saved his Royal Majestie."

These lines of the New England Primer, for more than a hundred years the approved text book of the Pilgrim and Puritan dissenter, were doubtless droned on many a leaden school day by our forbears at an age when their meaning was but dimly guessed. This and the slightly variant companion stanza,

"The Royal Oak our King did save,  
From fatal stroke of Rebel Slave,"

which is to be found in the "Child's Guide," another nightmare of only lesser fame, suggests the early Colonial idea of the beginner's lesson in patriotism. Whether poetry such as this, as stiff and wooden as the oak covers which held it together, produced quite the effect its authors intended or whether it stired in youthful breasts a reactionary spirit of rebellion and of secret sympathy for the rebel, we may not certainly know.

The allusion was, of course, to the Second Charles. For a time, Cromwell, that "stern enemy of kings," hunted him hard, but presently the Commonwealth crumbled and the House of Stuart was restored. The "Merrie Monarch" had been nine years on his throne when the town of Middle-

borough was incorporated. The date was June 1, 1669, and the place a term of the superior court holden at Plymouth. In the proceedings of the Massachusetts Historical Society for 1873 will be found an article on "The Origin of the Names of Towns in Massachusetts," wherein the opinion is expressed that, while there is a Middleborough in the North Riding of York, England, the name of our town, like that of Marshfield and Freetown, probably originated here and can be traced to local causes.

Some of our earlier local annalists appear to have thought that Edward Winslow, afterwards governor of Plymouth, and Stephen Hopkins, his companion of the Mayflower, were the first white men to set foot on this fertile soil, long regarded by the aborigine of this section as the fairest spot of his inheritance. Governor Bradford's embassy to the good king Massasoit, was one of his first public acts upon succeeding Carver, and in dispatching it he was careful to explain that he was not taking counsel of his fears, but rather of his desire to live "peaceably with all men, especially with our nearest neighbors." The account of the mission which has come down to us is undoubtedly the work of Winslow. The governor's present to his Indian ally was a laced "horseman's coat of red cotton." The ancient custom of propitiating royalty and near royalty with gifts is not, if we may judge from recent history, altogether extinct. Winslow and Hopkins with Squanto, the friend and interpreter of the Pilgrims, left Plymouth at nine o'clock one July morning in 1621. According to the old chronicle, they reached here "about three o'clock in the afternoon, the inhabitants entertaining us with joy in the best manner they could." There was a banquet of Indian corn, the spawn of shad and roasted acorns. This was the

last word in Indian delicacies. Before they moved on to the fishing weir near Titicut, where they camped for the night, there was, by special request, an exhibition of marksmanship in a nearby crow-infested cornfield. This feat was greatly admired by the Indians and probably was not without its psychological effect. On the return trip a few days later, a brief stop was again made at Nemasket, the messengers being as Winslow explains "wet and weary." But the main thing was that success had crowned their efforts. Massasoit had made them welcome and had given pledges that he would continue the existing alliance. The incident seems commonplace enough at this distance, but it none the less has a permanent place in colonial history. No mission ever affected more profoundly the destinies of a struggling new world settlement. Thus we see the first feeble beginnings of a league of nations upon American soil.

This is familiar history, but no less familiar is the fact that two years before, Thomas Dermer, one of John Smith's aides, with the same Squanto acting as guide, headed an expedition which explored New England, "searching every harbor and compassing every capeland." Finally he landed in the neighborhood of Plymouth and travelled "almost a day's journey westward to a place called Nummastaquyt," in other words, Nemasket. Here he rescued one of two surviving Frenchmen who had been shipwrecked several years before. The date of Dermer's letter making mention of the Nemasket visit is December 27, 1619. The substance of all this will be found in the admirable history of the Town by Thomas Weston.

A few years later, Sir Christopher Gardiner spent some time in this neighborhood. The Journal of Governor Winthrop fixes the date in the

spring of 1631. Sir Christopher seems to be entitled to the doubtful distinction of being our first bad man. Rumor had it that he was a bigamist, a charge which was never proved, but there is ample proof that he was a confidential agent of Sir Ferdinando Gorges, who had his eye on the commercial possibilities of the fishing and fur industries in New England and who was at that time involved in a bitter controversy growing out of his claim, as Winthrop tells us, "to a great part of the Bay of Massachusetts." Gardiner's true character is shrouded in mystery. The late Charles Francis Adams, Jr., who put to the acid test every scrap of available evidence, refers to him as one of the puzzles of early New England history and says that "while the mystery is now unlikely to be ever wholly solved, yet he nevertheless stands out in picturesque incongruity against the monotonous background of colonial life. It is somewhat as if one were suddenly to come across the portrait of a cavalier by Van Dyke in the vestibule of a New England village church." New England novelists and poets have found in him a veritable treasure trove. He was the walking villain of the now forgotten tale of "Hope Leslie" published by Miss Sedgwick in 1827. The historian Motley featured him in his story of "Merrymount" published in 1849. He figures in Longfellow's "Tales of a Wayside Inn." Whittier mentions him in his "Margaret Smith's Journal." Whatever the truth about this somewhat melodramatic figure, it is plain enough that his own actions were largely responsible for the suspicion with which he was regarded. Bradford records the prevailing view that he was a fugitive from justice. While he professed great piety, as became a Knight of the Holy Sepulchre at Jerusalem, and it was understood that he had given up all wordly pleasure, disquieting rumors

of the routine of his daily life reached Boston. Governor Winthrop notes in his Journal, May 21, 1631, that "one Mr. Gardiner, calling himself a Knight of the Golden Melice, being accused to have two wives in England was sent for; but he had intelligence and escaped, and travelled up and down among the Indians about a month; but, by means of the governor of Plymouth, he was taken by the Indians about Nemasket and brought to Plymouth." Incidentally, the Indians with a certain stoic simplicity asked permission to kill him but this primitive suggestion was coldly received by the authorities and a capsized canoe in yonder river was directly responsible finally for the fugitive's capture. The one time current story that he was shipped back to England, after being taken to Boston is effectually disproved by Adams, and thus this early precedent for the deportation of undesirable aliens turns out to be no precedent at all. If he was under some restraint during his enforced stay in Boston, the evidence is conclusive that he freely went his way to Maine in August of the same year and that he set sail from Maine for Bristol, England, in 1632. Years afterwards, on September 9, 1644, Winthrop wrote: "Gardiner had no occasion to complain against us, for he was kindly used and dismissed in peace professing much acknowledgment for the great courtesy he found here." Nevertheless he did complain and before he drops out of sight forever, he aimed a treacherous blow which caused the greatest consternation in Boston and Plymouth. It took the form of a petition accusing the Colony of treason and rebellion, which was sent to the king December 19, 1632. There was a hearing before the Privy Council, but ultimately the Massachusetts Company was completely exonerated and it was said that the King threatened to severely pun-

ish "all who did abuse his governor and the plantation." When the news of this vindication reached Governor Winthrop in 1633, he sat down and wrote a letter to his Plymouth colleague suggesting "a day of Thanksgiving to our merciful God" because of "our deliverance from so desperate a danger," which was "against all men's expectations." We may gather from this grateful note of relief that the strain had been severe indeed.

In Old Colony affairs we justly accord primacy to Plymouth and in doing so, if we give the matter any thought at all, we are apt to overlook the claims of our own town. And yet when we get the true perspective, not by consulting local annals alone, but by including also in our vision the broader sweep of New England history, the record discloses that Middleborough was intimately concerned, first in the earlier Indian and Colonial wars and a century later in the beginnings of the Revolution itself. The war which goes by the name of Philip, which scourged over three hundred miles of scattered settlements in Massachusetts, New Hampshire and the Province of Maine, in other words, practically all of the New England of that day—those frontiers of yesterday seemed far flung to our ancestors—had its origin right here. The discovery of the body of the Indian Sausaman under the ice of Assawampsett Lake uncovered a plot which had long been hatching. There were times when a dead Indian was regarded with complacency by the colonists, but this was not one of them. Sausaman was one of Eliot's converts. In his "Narrative of the Indian Wars in New England from the First Planting Thereof in the Year 1607 to the Year 1677," William Hubbard, the Ipswich minister, speaks of him as "bred up in a profession of Christian religion," and as "a very plaus-



ible Indian." When Hubbard's book was first published by authority of the Governor and Council in March, 1677, it was referred to as "being of public benefit" and its author was publicly thanked. Hubbard's estimate was accepted without challenge for nearly two centuries. We find General Ebenezer W. Peirce, who gave his name to our local G. A. R. post, speaking of Sausaman in his History of the Peirce family, as "a traitorous tale-bearer, a kind of good lord and good devil sort of a fellow." Historians in recent years have, nevertheless, taken Hubbard severely to task for his inaccuracies in general and particularly for his disparagement of this Indian preacher. Eliot's judgment that he was "a man of right eminent parts and wit and that his death was greatly bewailed by the English" has in more recent years been pretty generally adopted. At all events, the one time secretary and chief counsellor to Philip secretly communicated his fears of a coming uprising to the Governor. The identity of the informer was suspected and the sequel was the Assawampsett tragedy. The three murderers, close friends of Philip's, were presently all put to death after a court trial in Plymouth. This was in June, 1675. Philip, who judged further concealment of no use and who probably apprehended that his own head was in danger, was soon on the war path. The Minister Hubbard writes:

"These savages began a war with the first English adventurers while they were few in number, yea, very few, and strangers in the land. This rendered their deliverance an event truly great and memorable. They were saved indeed as by fire; their loss of men and substance, compared with their number and ability, was great, and long severely felt. Heavy as the public expenses were to support the war, they were but a very inconsiderable

part of the burdens and charges to which the particular towns, families and individuals were necessarily subjected, in guards, garrisons and watchings in their own defense. The whole country was the seat of war, and every man procured his bread in jeopardy of his life. Like Nehemiah's builders, each one toiled with his weapon in one hand, and his instrument of labor in the other, exposed every moment to death, from a watchful, unseen foe."

The storm of savage warfare broke here in all its fury. Palfrey in his "History of New England" says that parties of Philip's men "fell upon the settlements of Taunton, Dartmouth and Middleborough, burning houses and butchering the inhabitants." Doyle, of All Souls College, Oxford, in his "English Colonies in America," makes a similar statement, which he very likely copied from Palfrey. The garrison house or fort, where the citizens and their families sought refuge, stood upon the brow of the hill some two or three hundred feet from Main street as it bends to descend to the Star Mills. There is an old tradition that all the houses in the town, with the sole exception of the Morton house, were burned long before Philip was tracked to his lair at Mt. Hope in August, 1676. There is some reason to believe that this house, which was still standing at the time of the anniversary in 1869, was not built until the town was resettled. I am aware that the mists of tradition are often dissolved when penetrated by some tiny ray of newly discovered evidence, but it is a fact that Increase Mather records in his Diary under date of July 12, 1675, that: "We hear yt the Indians have destroyed sevl plantations in Plymo Colony, Middlebury, all but one house burnt and at Dartmo all but 8 houses and most of the houses in Swansey and yt Nini-

craft and other Sachems join with Philip. Tis the saddest time with New England ytt ever was known." This is contemporary testimony, so there is at least some foundation, inconclusive though it may be, in this instance, for the old tradition.

Long before the war ended, John Tomson and his little band of valiant Indian fighters with their families were forced to seek refuge at Plymouth. Middleborough as a white man's settlement for a time was completely wiped out. At the end of June, 1677, the governor called a meeting of the inhabitants and proprietors of the town at Plymouth. It was then and there formally resolved that "Whereas by the late rebellion of the natives, the inhabitants of Middlebury not only lost their habitations with most of their estates and (were) forced to withdraw from them, but also their records, whereby great damage is like to ensue it not finally prevented," \* \* \* it was therefore decided "to make such orders and conclusions as may hopefully have a tendency to the laying a foundation of the towne and pious society in that place."

In the Indian and Colonial wars of the succeeding century, Middleborough had an active share. To each one, she sent her quota. In reality these wars were in the main the echo of the Old World conflict which intermittently raged for almost a hundred years between England and France. Middleborough men were present at the siege and capture of Louisburg, the Gibraltar of America, in 1745. To the Seven Years' War, which ended in the overthrow of France in the New World, the town contributed a company commanded by Capt. Benjamin Pratt. Capt. Abial Peirce was aide-de-camp on the staff of General Wolfe and in the famous attack on Quebec, where both Wolfe and the French general, Montcalme, fell, heard the dying words of the English general, ending with the

exclamation, "Now God be praised, I die happy," so familiar to those of us who struggled with the school readers of a generation and more ago. His father-in-law, William Canedy, an influential man in that part of the town which is now Lakeville, served with distinction during the Indian wars earlier in the century. As a lieutenant in command of a small garrison, he defended a besieged fort in the Province of Maine and withstood for many days a furious, savage attack until relieved in the nick of time by reinforcements. This was in December, 1723. A story still survives of Abial's brother, Capt. Job Peirce, whose daily custom it was to read the Bible to his assembled household. One day the old gentleman read from the second chapter of the book of Job, which contains this verse, "So went Satan forth from the presence of the Lord and smote Job with sore boils from the sole of his foot unto his crown." In the old fashioned type, s and f were much alike. Capt. Job was, at best, a halting reader and "sore boils" became for him "four balls," so that Satan was made to smite Job with four balls. From his son Ebenezer, who for once was paying close heed, came the quick and appreciative response: "That was a devil of a shot."

Some of the Arcadian families, immortalized in Longfellow's "Evangeline," torn and deported from their Nova Scotia homes by order of the English Crown, were assigned to this town. The general court contributed to their support in accordance with vouchers submitted by the selectmen of the different towns and the Massachusetts archives disclose such vouchers signed by our town fathers.

The history of Middleborough during this period is indeed the common history of the New England frontier village. The inhabitants lived under the constant dread of Indian massacre and at-

tack by wild beasts. The dreaded cry "The Indians are here!" was likely to be heard at any moment, day or night, and yet there must have been compensations. Even in those days each settler may well have said,

" \* \* \* \* \* the tall rock,  
The mountain, and the deep and gloomy wood,  
Their colors and their forms were yet to me,  
An appetite—a feeling and a love."

Then, too, game and fish were everywhere about. Capt. John Smith made two voyages to these shores before Plymouth was settled. Listen ye local hunters and fishermen, who shall be nameless, except as your exploits are proudly proclaimed in the local press, to this report taken from Smith's "Description of New England in the Year of Our Lord 1614." The quotation is literal save for the quaint spelling which I have modernized.

"Moose, a beast bigger than a stag, deer, red and fallow, beavers, wolves, foxes, both black and other; aroughconds, wildcats, bears, otters, martins, fitches, musquassus, divers sorts of vermine whose names I do not know. All these and divers other good things had here for want of use, still increased and decreased with little diminution, whereby they grow to abundance. You shall scarce find any bays, shallow shore or cove or sand where you may not find clams, or lobsters or both at your pleasure and in many places load your boat if you please; nor isles where you find no fruit, birds, crabs, and mussels, or all of them for taking at low water. And in the harbors we frequent, the little boy might take of cunners and pinnacks and such delicious fish at the ship's stern, more than six or ten men could eat in a day; but with a casting net thousands when we please; and scarce no place but cod, cuske, halibut, mackerel or such like a man may take with a hook or line what



he will. And in divers sandy bays, a man may draw with a net, great store of mullets, bass, and divers other sorts of such excellent fish as is needed, can draw on shore; no river where there is not plenty of sturgeon or salmon or both, all of which are to be had in abundance, observing of their seasons. But if a man will go at Christmas to gather cherries in Kent, he may be deceived; though there may be plenty in summer. So here these plenties have each their season as I have expressed."

To what extent hunting was followed as a sport for its own sake is not altogether clear. The evidence is somewhat conflicting. It was provided in one of the early orders of the Plymouth plantation, "that whosoever shall shoot off a gun at any game whatsoever, except at an Indian or a wolf shall forfeit five shills," but this order was undoubtedly dictated by military necessity and did but anticipate Cromwell's advice to the dissenters of the next generation to "put their trust in God and keep their powder dry." Then there is Macauley's well-known jibe: "The Puritan hated bear-baiting, not because it gave pain to the bear but because it gave pleasure to the spectators. Indeed he generally contrived to enjoy the double pleasure of tormenting both spectators and bear." But it should be remembered that Macauley bore no love for the Puritan. It is therefore with something like a shock of grateful surprise that we find him elsewhere thus alluding to the American wilderness, towards which so many wistfully looked as the only asylum where civil and spiritual freedom could be enjoyed: "There a few resolute Puritans who, in the cause of their religion, feared neither the rage of the ocean nor the hardships of uncivilized life, neither the fangs of savage beasts nor the tomahawks of more savage men, had built, amidst the primeval forests, villages, which are



now great and opulent cities, but which have, through every change, retained some trace of the character derived from their founders." There is perhaps a trace of gentle satire even here, as the closing words suggest. But though we do not turn to Macauley for a just estimate of the Puritan, we may well agree with the New England poet that he was

"A soldier of the Cromwell stamp,  
With sword and hymn book by his side,  
At home alike in church or camp,  
Austere he lived and, smileless, died."

The approach of the Revolution found this town in a turmoil. Judge Peter Oliver was, of course, the storm center. This remarkable man came here from Boston in 1744 at the age of thirty-one. He bought up the Indian village of Muttock, coming into possession of much property devastated during King Philip's War, and went into the iron business. We are told that under his competent direction this industry advanced to high rank in the Province. Much of the shot and shell and ordnance used in the French and Indian wars of the period was here turned out. He was not a lawyer, but nevertheless, he was made a judge of the superior court in 1756 and in 1772 he became chief justice. You will find his name in the manual for the general court. There was nothing unprecedented in this. It was long the favored policy—by no means even to this day wholly abandoned by England—to select for the colonial judiciary laymen whose broad experience gave promise of the wise counsellor and such Judge Oliver seems to have been.

About his residence, Oliver Hall, much has been written. It is a topic with which many of us are familiar. I confess that I used to think the picture

somewhat overdrawn, but that was "when I was green in judgment." We have the testimony of the royalist governor Hutchinson, whose daughter married a son of the chief justice, that Oliver Hall was one of the finest and most pretentious residences in the Province. The governor was a competent judge, for his own home, torn down in 1832, was the stately "Province House" of Hawthorne's Legends. Crowning the summit of Muttock hill at the end of some thirty odd miles of wretched turn-pike road from Boston stood, then, without doubt, one of the few show places of the period. Judge Oliver is said to have been no mean architect himself. The old court house at Plymouth, which stood until 1815 was of his design. The fame of Oliver Hall crossed the Atlantic. No tour of the Province was thought to be complete which overlooked Muttock. It is certain that the distinguished men of the period were often guests at the Hall. We should expect to find for family reasons, the royal governor, Hutchinson, much in evidence, as indeed he was. Another frequent visitor was James Bowdoin, president of the first Constitutional Convention of 1780, and afterwards the second governor of the Commonwealth under the Constitution. He is said to have spent much time at the Hall during the siege of Boston, though he was a consistent friend of the Revolution.

Many local families, including the clergy, kept slaves in those days. Judge Oliver owned one named Cato, who liked to hector the servant girls. They bided their time and finally managed to smuggle a hornet's nest into his bed. All went well until restlessness and a rising temperature combined to start something which resembled bedlam. In the picturesque language of old Uncle Ephraim Norcutt, a soldier of the Revolution,

himself long in service at the Hall, Cato "jumped right up and down as if his shirt had been afire and nobody there to put it out." The Judge hurried upstairs, properly scandalized by such a rumpus and for a time, practical jokes, some types of which seem to persist, while generations come and go, ceased to be popular in his household.

To the old Sproat house, the home of the chief justice's son, Benjamin Franklin came as a guest in the summer of 1773. Tradition says that he stayed three days taking the liveliest interest in everything about him. He talked with the men at the iron works in their recess hours. He attended Sunday services at the meeting house at the Green and during the intermission the farmers gathered about him. He left them his "Poor Richard's Almanac." Everywhere he showed himself during that brief stay, he was surrounded by an earnest crowd of eager listeners. The plain folk of Middleborough never forgot this man of "uncommon common sense" who came to them in his famous Continental suit of homespun gray, the same kind of garb he had worn at the court in France amidst powdered courtiers in velvet and gold lace. For more than one generation Franklin was a sort of patron saint and his Almanac the farm Bible. In his Works is to be found a letter written by Judge Oliver on March 31, 1756, to a Connecticut clergyman, wherein he gives an account of a critical experiment of his in what he calls "preternatural philosophy." Two or three persons in Middleborough were reputed to be able to locate metal with the aid of a forked twig. The Judge states that he was skeptical but that the result exceeded the reports. He goes on to say that the

"person holds the twig by its two branches in both hands and grasps them close with the upper part erect. If any metal or mine is nigh,

its fibers, though never so fast held in the hand, will twist till it points to the object; and if the metal or mine is under it, it will twist to a perpendicular situation. I have seen it point to a single dollar underground at 60 or 70 feet distance and a quantity of silver at a mile distance; and what is more remarkable when it is in motion to its object, upon the person's closing his eyes, it will make a full stop; but if the eyes are turned from the twig and open, it will continue its motion. It is owing to what I call the idiosyncrasy of the person's body who holds the twig, for I believe there is not one in five hundred in whose hands it will move."

While in England acting as Agent for the Colony of Massachusetts, Franklin, in some way never quite explained, got hold of certain private letters written by Governor Hutchinson and lieutenant-governor Andrew Oliver, the chief justice's brother, describing colonial conditions from the royalist standpoint. John Adams speaks of the "miracle of their acquisition" but there isn't a shred of evidence to support the charge that Franklin himself stooped to any ruse to obtain them, though a great calmor was raised against him at the time by ministerial partisans in England. It was the publication of these letters—some of which were not unlikely written in Middleborough, where many of Hutchinson's state papers were prepared—which so kindled the popular indignation. The revelation of hated "Tory intrigue" was complete.

Now it may well be that the Revolution was merely the culmination of a long gathering conflict between centralizing imperialism and colonial self-government, but it is nevertheless true that when the storm clouds first began really to threaten, nobody dreamed of separation. As one gets into the atmosphere of the period, it is plain enough that a little obstinacy and much ignorance of the colo-

nial character alone prevented an understanding. As late as September 28, 1774, this town instructed Capt. Ebenezer Sproat, its representative, "to observe a just allegiance to our sovereign lord the King, agreeable to the compact made with our venerable progenitors" and to exert himself for "the recovery of union and affection between Great Britain and these Colonies on a constitutional basis." In a letter dated the ninth of April, 1774, addressed by the Earl of Dartmouth, the secretary of state for the colonies, to Governor Hutchinson, one of the last to reach him before he sailed away from Boston, there appears this statement: "I perceive with the utmost concern from the state of the Province which you have set before me, that there is no room to hope for the restoration of order and regular government till the sentiments of those who see the necessity of a due acknowledgment of the authority of the supreme power of the whole empire and the absurdity of a contrary doctrine, shall become the prevailing and ruling principles of the Province." The colonial secretary concludes by saying that he does not doubt but that after proper evidence of a return to a just sense of their duty on the part of the colonists, "Parliament would be as ready to shew them the indulgence of a reconciled and tender parent as it is now determined to require the obedience it has a right to expect from an obstinate and refractory child."

The immediate cause of Judge Oliver's downfall was his acceptance of the king's grant. "He who holds the purse strings holds the chief command," and it was felt that as long as the assembly paid the judges it would have them under its thumb. In a letter of August 31, 1772, to Sir Francis Bernard, lieutenant-governor, Oliver wrote: "If the report be true that has begun to circulate since

the arrival of the last ships from London that the judges of the superior court are to receive their salaries out of revenue duties, the newspapers will presently sound a fresh alarm." The house of representatives forced the issue, demanding an explicit answer from the judges whether they would take such salaries as should be granted by the general assembly without receiving any salary from the king for the same service. The salary itself was petty even when measured by colonial standards. The pittance doled out to the judges did not even equal the stipend paid the assembly doorkeeper. We may be sure that Oliver Hall was maintained, not on the salary of the judge, but out of the private purse of the manufacturer. Governor Hutchinson said of Judge Oliver that "he had toiled through life in an honorable profession, not to his personal emolument, for he was yearly out of pocket by the mean and miserable acknowledgment he got for his labors."

The Judge's answer to the general court was highly unsatisfactory. Abigail Adams wrote her husband, John Adams, from Braintree in 1774, that "the chief justice is determined to take a stand and that the court shall proceed to business if possible." Many colonial officials were forced to go to the Liberty Tree and there take an oath to renounce the royal salaries. Adams says that some of the judges were men of "resolution, and the chief justice in particular had piqued himself so much upon it and had so often gloried in it on the bench, that I shuddered at the expectation that the mob might put on him a coat of tar and feathers, if not put him to death." Though at bay, for a time the chief justice stood his ground. Then the house of representatives impeached him before the Council. What actually happened is thus related by a historian of the period:



"It was in vain that the court was opened in all the customary forms, that the judges declared themselves ready to hear and the counsel to speak. When those who had been appointed to act as jurymen were summoned to qualify in the usual form, not a man could be found to consent. Each individual, as his name was called, assigned as his reason for declining, that the presiding officer, having been charged with high crimes and misdemeanors in office, by the legislative power of the Province, could not be recognized as a suitable person to hold the court, whilst the charges remained unacted upon. Such was the unanimity of sentiment that even Oliver quailed before it and the highest court of the Province was, from this moment, effectually closed."

Not long afterwards, a mounted messenger arrived in Middleborough bringing the command of the House that he should not preside over the Court. Then he definitely yielded. For some months he was virtually a prisoner in Boston. There is a tradition that suddenly appearing at the Hall late one night, he went straight to his safe, removed his valuables and, taking one last look at the place which had so long been his pride, vanished on his spent horse never to return.

When lieutenant-governor Oliver died on March 3, 1774, the chief justice, resolute as he was, did not dare, so Hutchinson records, to attend his brother's funeral. John Adams, who in November, 1771, had spoken of Oliver as "the best bred gentleman of all the judges by far," made this interesting prediction in the spring of 1774: "Peter Oliver will be made lieutenant-governor, Hutchinson will go home, and probably be continued governor, but reside in England, Peter Oliver will reside here and rule the Province. The duty on tea will be repealed. Troops may come

but what becomes of the poor patriots? They must starve and mourn as usual. The Hutchinsons and Olivers will rule and overbear all things as usual."

The chief justice's last years were spent in England and we can hardly doubt that they were unhappy years. There is rather a pathetic entry in his diary under date of June 7, 1776:

"This morning visited Lord Edgecombe's seat. \* \* \* We then descended the walks around the seashore. which were varied with taste, and yet seemed formed on the plan of nature, with seats to rest on, and with hermitages; promontories on one side, and the sea opening through the trees on the other—filled the mind with pleasure. But I was in one walk deprived of pleasure for a moment, it being so like a serpentine walk of mine on the banks of the river Nemasket, which so lately had been wrenched from me by the Harpy claws of Rebellion, that I was snatched from where I now was to the loss of where I had so late been in the arms of contentment. \* \* \*"

It is something of a coincidence that Judge Oliver was made a Doctor of Civil Law at the University of Oxford on July 4, 1776, the date the colonies took what he regarded as an irrevocable plunge towards destruction.

But it must not be supposed that, because local tide was running so strongly, there were not cross currents. It was a family quarrel, and, like most family quarrels, most bitter. Whig and Tory party spirit raged fiercely and split households. Those bound by the closest ties of kindred sometimes refused to exchange visits or even speak to each other. It is related of one woman living near Court End that she called one day upon her sister, who was a staunch royalist, and seeing a pot boiling over the fire inquired with that curiosity

which is always pardoned her sex, "Molly, what is that you are boiling for dinner?" Snatching the lid from the pot, the sister, her countenance hot with hatred, answered: "Look, it is the heart and pluck. I wish it were Washington's heart and pluck." One of the local clergy who had been known as a Tory refused with vehemence to read an announcement of the death of Washington handed to him by his deacon.

One of our revolutionary celebrities, whose local fame long persisted, was Deborah Sampson, who enlisted as a soldier in the revolutionary army under the name of Robert Shurtliff. She bought cloth for a soldier suit, concealed it under some brushwood at Barden Hill and worked on it by moonlight and on Sundays. Wounded by a musket ball in the left breast during her first battle, that night by the light of a camp fire she extracted the ball herself with a sharp-pointed eating knife.

On October 27, 1815, Wilkes Wood, afterwards judge of probate for this county, delivered a historical address. Why it was delivered in 1815 and not in 1819, upon the occasion of the one hundred and fiftieth anniversary, I do not know. There may have been some connection with the war of 1812, then in its last gasps. Very few, if any of our men who served in that war saw really active service. They were engaged in the main in defensive work, in protecting shore places like Plymouth, Wareham, and New Bedford from threatened attack. Capt. Peter Hoar Peirce commanded one of the companies. In the fall of 1815, there was a great hurricane which was long remembered. Nearly all the families at Court End sought safety in the house of Wilkes Wood. It was lower and more rambling in structure than most of the others in the neighborhood, which were so high that they trembled and rocked on their foundations. The

old meeting house at the Green is said to have suffered the most. Some of its windows were found after the gale hanging on the trees in a swamp far to the rear of the church. The church itself, built of massive oak timbers, well braced and pinned together, did not budge.

The old first parish is intimately blended with the lives of our ancestors and it has had some able ministers. Perhaps one of the best known was Rev. Peter Thatcher. We know he could preach "excellently well," for we have Cotton Mather's testimony to that effect. At the old parsonage called the "Mansion House," Whitefield was entertained on his memorable visit to Middleborough in November, 1746. People flocked to hear him from all parts of the town. They choked the aisles to such an extent that it was only by the aid of a ladder that the great preacher was able to reach the pulpit through a window in the rear. He preached with tremendous power and effect from the unique text, "I am this day weak, though a crowned king," and a later chronicler of this incident adds that "he proved himself that day a crowned king—a king over the minds of men, swaying them as he pleased by the force of his irresistible eloquence."

In those days and for a century afterwards, the men of families usually rode to meeting on horseback, the wife riding behind on a pillion. The young people walked. "We used to walk," one old lady is reported as saying, "all the way from Morton town, now Court End, carrying our meeting shoes in our hands so as not to soil them. It was woods most of the way; where Four Corners now is, it was all thick woods. We stopped on the way at a house near the meeting house and changed our shoes. We did not think it a very long walk as it was cool in the woods and very pleasant

walking in the shade of the trees in the hot summer weather." In the cold days of winter, it was quite a different story. The church was unheated and the men wrapped themselves in their cloaks and overcoats and the women in their shawls and muffs. Little charcoal hand stoves kept the feet from freezing. There were two services then. During the noon intermission everybody flocked to the old Sproat tavern, where I often slept as a boy—it had become by that time, the property of a great-aunt of mine. Here the big open fireplaces roared their welcome. It is related that the conversation was oftentimes spirited and highly instructive. We may well credit this, for the master mind of these noon-day gatherings was Zachariah Eddy, a close associate of Webster and Choate and a lawyer of real eminence and distinction in his day and generation.

During the eighteenth century, one of the women of the town best known for her strong will and great energy of character was Mercy Morton, the wife of Ebenezer Morton, third in family descent from the Pilgrims of the Mayflower. She seems to have been a leader in a religious sect known as the "New Lights." Her house was a resort of many itinerants who came in droves, there to rest many weeks free from care and expense under her hospitable roof. This sorely taxed the patience of her sons grown to be stalwart farmers. They had to dig their living out of the rocky hillsides and to hew their way through the old forest trees which covered the farm.

"These New Lights," said they, "do not obey the scriptures. We read in mother's Bible 'if a man will not work, neither shall he eat.' These New Light preachers do not obey it. There is a great deal of eating and no working. We wish Governor Bradford were here

to send them apacking. He said, 'We will have no drones in this hive.' We wish he would rise from his grave and come to Middleborough and give these preaching drones, who take all the honey out of the hive and bring nothing in, a warning, or that the Lord would speak to them from above. Let them go to Cape Cod or some other place along the shore. All the sinners are not in Middleborough, nor are all the saints in Plymouth."

At this juncture, alarums and stratagems via the roof and chimney helped to clear the heavily charged devotional atmosphere. In the night-watches, one of the preacher guests, whose stay had been greatly prolonged, was aroused out of a sound sleep by a voice from above saying: "Arise and go to Chatham, that wicked town on Cape Cod, and proclaim to the inhabitants thereof all the words which I shall there declare unto thee." He dressed himself forthwith, saddled his horse and was soon on his way to the unregenerate Cape.

It has often been remarked, and this community is no exception in this respect, that there are big gaps in many of the old church records. In the early years the clergy were the best educated people hereabouts. The records kept by them were generally superior to those kept by the town clerks. The trouble seems to have been that they were a little too complete. They contained the religious experience of every person who sought admission to the church. The sins confessed by man or woman were spread out with some detail. A candidate for church membership had not only to promise to sin no more and to forsake former evil practices, but to state explicitly what those evil practices had been. The theory has been advanced that the minuteness of these records is intimately connected with their disappearance. But whether lost or destroyed, they contained much informa-



tion which would now have a distinct historical value.

The Civil War found the town ready. Governor Andrew ordered out the local company over night. Between darkness and dawn, Capt. Harlow covered many miles and visited several towns with the result that most of his company reported for duty on Boston Common at nine o'clock the next morning. Judge Russell stated in 1869 that little Halifax (which was in part set off from Middleborough), with a population of seven hundred and thirty-eight, could point to a total of twenty-two heroic dead, a record equalled by no other town in the state. In the words of our local history: "Great sacrifices were made by the men of Middleborough for the defense of the Union and in no instance was there ever reported any lack of bravery or want of discretion on the part of the officers or privates who went out from our town." Some of these men are still happily spared to greet their worthy successors now returning full of honor from the great World War, which has tried the nerves and tested the manhood of the present generation.

It was in the shadow of the Civil War that Governor Banks appointed William H. Wood judge of probate for this county, a position which he long adorned. It seems clear that only indifferent health kept him from high political and judicial station. It was the decade before the war, too, that Peirce Academy reached its period of greatest renown under Professor Jenks, who had taken charge when its fortunes were at low ebb. Students flocked here from both the North and South, among them the late chief justice of the Superior Court, Albert T. Mason, and Judge Henry K. Braley now of our Supreme Judicial Court and our hon-

ored guest here today. I have often heard Henry E. Turner, so long auditor of the Commonwealth, who died in office a few years ago, speak in terms of great affection of his student days at the Academy.

While preparing this paper, I came upon a most interesting account of "Village Life in America," written by a non-resident American. The current comments of the period—it appeared in the *Contemporary Review* for December, 1880—show unmistakably that it was very generally assumed that Middleborough was the village thus portrayed and there is much internal evidence, quite apart from the allusion to the Four Coners, which supports this view. It is a matter of speculation to be sure, but I personally strongly suspect that the author was George Washburn Smalley, for many years the London correspondent for the *New York Tribune*. His father and mother, the daughter of General Abial Washburn, were living here in 1835. The writer sympathetically describes the place of his birth, which he was once more revisiting after having spent half his life in Europe. Smalley was born in 1833 and this tallies, but my trouble is that he was born in the town of Franklin and not in the town of Middleborough. But whether Middleborough or Franklin was meant—I am satisfied it was either one or the other, perhaps the author had both places in his mind's eye—the article contains much that we here can readily recognize. The town house is described as a

"venerable and ugly wooden building, painted yellow, and full of narrow, high, straight-backed benches. Here the town meetings were held and they were the delight of my boyhood. This was the school of government and political science. \* \* \* All the citizens meet annually in the town house to discuss the in-

terests of the town, to decide upon the taxes and the expenditures for the year, and to elect officers. Here is absolute equality, and in those old days I heard debates on political economy and questions of government which have influenced my life. Long-winded speeches were not tolerated, but there was a continuous fire of ideas, facts, and fun. The language was generally rough and uncouth—the jokes were broad and homely, but they came from men who knew what they wanted, and understood what they were talking about.”

The only other public places in the village after the church, school house and town house, were the taverns and stores, which were common places of resort where men met to discuss the politics of the day. The local sage who presided over these nightly meetings is described as a lean, lanky, lantern-jawed old man with a very clear head and a wonderful knowledge of human nature. It was a striking thing about the village politicians of those days that they read few books or papers, but they studied men and knew how to influence them. The style of living was extremely simple, to be sure, but—I am giving approximately the writer's words—there were evening parties, dances, tea-drinkings, corn-huskings, quilting bees, singing schools and spelling matches, where the young people did their courting. In the midst of this simplicity there was no little culture and refinement. There were ladies and gentlemen in some of those farm houses who would have done honor to any society in the world. They knew how to cultivate the fields, but they could read Greek and Latin and sometimes Hebrew. They knew how to make butter and cheese, but they were also familiar with English literature, with theology and politics—in a word with the arts and accomplishments of refined society. When Edward Everett de-

livered his great oration on the Character of Washington in the town on March 25, 1858, he had an audience, he informs us, which was "large in proportion to the population."

But to return to the Contemporary Review article, after fifty years there is a "large and beautiful town hall." All the old manufactories had died a natural death. The cotton factories were too small to compete with those of Lowell and Fall River. The furnaces could not compete with those of England and Pennsylvania. Wrought nails had been superseded by those made by machinery and competition had destroyed the manufacture of agricultural implements. The valuable water-power in the town then worked but a single mill, and that for woolen goods. Steam factories had been erected in the village for shoes, hats, needles, and boxes. Finally, the author closes with this tribute to his New England village:

"While it is by no means perfect, it certainly comes nearer to an ideal village than anything I have seen in Europe. There is absolute civil and religious liberty. Even public opinion is not tyrannical there. Individual rights are respected, without any infringement upon the dignity and supremacy of the law. The people are moral and religious, without being uncharitable or fanatical. \* \* \* They are intelligent, acquainted with what goes on in the world, believe in progress, and contribute freely not only to support their own institutions, but for the enlightenment of the world. It is not strange that they believe in the form of government which secures all this to them, nor that they honor their English ancestors, whose wisdom and piety were the foundation of New England society."

Thus was this old town of 1830 and 1880 mirrored for our kin across the seas.

Upon the occasion of the two hundredth anni-

versary, Judge Russell called the roll of the first settlers and it was still possible for him to say, "Those names are still here. They are all around me. Many of these men till the same farms that their fathers tilled. All of them, as far as I know, walk in the same ways that their fathers trod." Now, after fifty years, this can no longer be said. Truly "the old order changeth, yielding place to the new." There is no blinking the fact that family names familiar since the "Twenty-six Men's Purchase" are fading factors in the life of the town. Possibly in another century, most of them will have finally disappeared. Who can tell? In a lusty democracy like ours, perhaps this is inevitable. But what of those who are taking their places? This is the first generation to show unmistakable signs of a definite break with the traditions of the past. Speaking in the composite, "What means Hecuba to him or he to Hecuba?" What answer will be made upon the occasion of the three hundredth anniversary? I would give much to know, but most of us will not be here to see—with earthly eyes at least. There is a strain of atavism in many of us in this hall to-day which makes us hope devoutly that, then as now, it will still be said of those progenitors of ours who lived in that far off colonial time:

"Their seed shall remain forever,  
And their glory shall not be blotted out.  
Their bodies are buried in peace;  
But their names live for evermore."

May I quote once more from that fascinating book of Capt. John Smith's: "Who could desire more content that hath small means or who only has his merit to advance his fortune, than to tread and plant that ground he hath purchased at the hazard of his life? If he have but a taste of virtue

and magnanimity, what, to such a man, could be more pleasant than building and planting the foundations for his posterity, got from the rude earth by God's blessing and without prejudice to any."

How this vision of this Old Colony which the Virginia planter saw several years before the first Plymouth settlement has been realized, you and I know full well.

Considerably more than two centuries later, in 1835, Dr. Putnam, the beloved pastor of the old first parish, who was then preaching as a candidate, wrote in one of his letters, "There is a little red school house on the Green and the little girls trip over the sandy road in their bare feet, but with very happy faces. I have just had some very sweet smiles from three of them." The boys and girls of that relatively recent day even, as well as the boys and girls who read out of the New England Primer, are most of them now dust. It explains much of our past that, with few exceptions, each in turn could truthfully say:

"I sing New England as she lights her fire,  
In every Prairie's midst and where the bright  
Enchanting stars shine pure through Southern  
night,  
She is still there, the guardian on the tower."

According as faith is kept with this New England spirit, so is our future to be.











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